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RUEHBJ/AMEMBASSY BEIJING 4556
RUEHKO/AMEMBASSY TOKYO 1254
RUEHBY/AMEMBASSY CANBERRA 1701
RUEHWL/AMEMBASSY WELLINGTON 2115
RUEHKL/AMEMBASSY KUALA LUMPUR 2424
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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 003325

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SUBJECT: POLITICAL ISLAM -- THE RISE AND FALL OF SHARI'A?

REF: JAKARTA 1306

Classified By: Pol/C Joseph Legend Novak, reasons 1.4 (b-d).

11. (U) This message was coordinated with Consulate Medan.

12. (C) SUMMARY: The number of new Islamically-inspired laws being put on the books by Indonesian municipalities has declined sharply over the past two years. During a visit to key sites in Sumatra, poloffs discussed the situation with observers, who expressed a real ambivalence about the wisdom of politicizing religion, a view which has apparently contributed to the reduction in the promulgation of new laws. Moreover, other, religiously-neutral means of governance of a pluralistic, complex country are increasingly seen by many as preferable to hard-line interpretations of Shari'a and the divisiveness those can spark. END SUMMARY.

BY THE NUMBERS

13. (C) On a November 26-29 visit, poloffs examined obstacles to Shari'a (Islamic law) implementation on the island of Sumatra, home to over 50 million people. In recent years, local by-laws based on Islamic law have been implemented in several Indonesian provinces, including Aceh and West Sumatra (ref A). A wide range of Muslim leaders continue to advocate further implementation. Nevertheless, recent research by Robin Bush, Deputy Country Director of U.S. NGO The Asia Foundation (TAF), indicated that the growth of Shari'a by-laws in Indonesia has declined sharply over the past two years. According to Bush, no new Shari'a regulations passed in 2007 and only four such by-laws passed in 2006, down from a peak of 23 in 2003 and 15 in 2004. In sum, at least 78 Shari'a-inspired laws have passed into law in Indonesia, some linked to general morality including alcohol, gambling and prostitution.

THE RISE AND FALL OF SHARI'A?

14. (C) The initial rise of Sharia by-laws in the years after the 1998 fall of Suharto coincided with Indonesia's political decentralization--and a lack of capacity in local governments to address social problems. "This is not Islamization so much as not knowing how else to cope with social problems," TAF Indonesia Director Douglas Ramage told Dep Pol/C. According to John Brownlee, TAF's Islam and Development

officer, politicians understandably promoted Shari'a in areas with a historically strong Islamic identity such as Aceh and South Sulawesi. "In areas that have a strong Islamic identity, it would seem natural as a politician to play on that identity, to use it to your advantage, to use Shari'a to get more votes," he said.

15. (C) Shari'a law promulgation has decreased in recent years, however, because constituents and politicians have found that implementation can be difficult, costly and controversial, according to Brownlee. In some cases, mass protests against previously passed Shari'a by-laws have caused some such laws to be repealed by municipalities. Nonetheless, Shari'a laws are an existing part of Indonesia's political fabric. Any approach to improve governance must address these political Islamic elements. TAF, for its part, is trying to improve the capacity of local governments to address social issues through good governance, for example, with training in sound budgeting or teaching Muslim organizations how they can help local government to govern better. In Aceh, for example, TAF has trained the vast majority of religious court judges on using Shari'a laws to deal with modern issues in a democratic context. Courses on gender and theology and violence against women provide tools for Shari'a courts and support local governance.

EXAMPLE A: ACEH

16. (C) Poloffs visited three key regions--Aceh, North Sumatra, Riau--to get a take on perspectives on Islamic law. Poloffs found that Shari'a implementation in Aceh is not wholly popular. Interlocutors describe Shari'a as the "third rail" of local politics. While there are mixed views about

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the wisdom of politicizing Shari'a, most observers agree it is risky for politicians to roll back existing Shari'a regulations given support for them from conservative elements. That said, Shari'a has its critics.

17. (C) According to one of his close advisors, Governor Yusuf Irwandi, a former Free Aceh Movement (GAM) leader, strongly disagrees with Shari'a implementation, but is unwilling to go on record as being critical. Alamsyah Hamdani, a former GAM attorney, said Irwandi's strategy is to avoid giving public support to any new laws against alcohol consumption, gambling, and "khawlat" (the close proximity of unmarried people). The head of Aceh's Shari'a court, however, which has handled about 230 such cases since 2005, told poloffs that Irwandi has been fully supportive of Shari'a implementation. Aguswandi of the nascent Aceh People's Party said his party platform will openly oppose Shari'a in the 2009 general election.

18. (C) In one of Indonesia's traditionally most "pious" provinces, support for the concept of Shari'a is widespread, but poloffs encountered strong debate over how it should be carried out. Some interlocutors commented that Aceh has always been extremely religiously observant and has no need for reminders about proper Islamic behavior. Others defended the effectiveness of publicly "shaming" violators. Local Prosperous Justice Party (PKS) leader Ghufron Harun said the debate falls along generational lines with elders who strongly support Islamic codes and the younger generation, who still are not fully convinced of the benefits of Shari'a.

EXAMPLE B: NORTH SUMATRA

19. (C) Islamic law has not picked up much traction in North Sumatra. Islamic scholars in Medan explained that Shari'a provisions can be more easily adopted in provinces like Aceh and West Sumatra, which have more homogeneous communities with a vast majority of Muslims. North Sumatra, however, is very heterogeneous with large Christian Batak, ethnic Chinese, and other non-Muslim groups who unite with liberal Muslims to oppose Shari'a.

EXAMPLE C: RIAU

¶10. (C) In Pekanbaru, the capital of Riau province, diversity within the Muslim community has also served to moderate Shari'a implementation. The Muslim community consists of a mix of ethnic Javanese, Batak, Malay, and Minang, making it difficult to achieve consensus on what type of Shari'a is appropriate for the province. The city has one anti-gambling regulation on the books, but it is not labeled as a Shari'a by-law, nor is there any push for Shari'a implementation. According to the Singaporean Consulate General in Pekanbaru, Raj Kumar Singh, the local police have worked closely with mainstream Muslim organizations and government officials in the provinces, for example, in handling the growth of deviant sects or enforcing Ramadan closures, thus defusing potential pressure for stricter Islamic laws.

WAY FORWARD

¶11. (C) In pluralistic Indonesia, Shari'a law in some ways represents an attempt to return to traditional religious values to cope with the challenges of modernization. It has also been a tool for local governments to exert control in an era of recent political decentralization. As the nation's political institutions mature, Shari'a seems at this point to be losing some steam to more effective means of addressing these issues. A key way for moderates to counter undemocratic, intrusive forms of implementing Shari'a seems to be--in a religiously neutral fashion--to help government and society develop better means of governance.

HUME